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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,700	07/17/2003	Kyoko Agui	8028-1040	9301
<small>465</small> YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314			<small>7590</small> EXAMINER GAUL, ALLISON W	
			<small>3685</small> ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/620,700

Applicant(s)

AGUI, KYOKO

Examiner

ALLISON W. GAUL

Art Unit

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Acknowledgments

1. This Office Action is Final and is in response to the correspondence filed on 05/01/2008
2. Claims 1-10 of the application have been examined, and are rejected and removed from examination.

Response to Arguments

1. The Examiner has reviewed and considered the applicant's arguments and found them to be non-persuasive.
2. Applicant is of the opinion that the prior fails to teach Applicant's claimed method. The Examiner respectfully disagrees. Regarding "personal homepages", Hogan teaches transmitting account history information and making it accessible via WWW (col 5, line 1-5), and updating customer personal information via financial software loaded on the customer's terminal, which can then be displayed on the customer's webpage (col 7, line 35-45). Therefore, as the information displayed is unique to said customer, the webpage is necessarily a "personal webpage". Also, it would have been obvious to one of ordinary skill to combine Giordano and Hogan in order to remind users of the money they owe on purchases ('123, abstract; '528, column 10, lines 50-60). Regarding, a non credit card purchase, the claim, on the other hand, merely requires that the prior art teach transmitting personal information on the customer **or** information on products

3. purchased without any card and its related information. Therefore, as the Hogan, for example, teaches transmitting personal information on the customer ('528, column 10, lines 50-60) the combined prior art teaches claim 2.
4. The Examiner maintains the rejection to claims 1-8.
5. The newly added claims 9 and 10 both recite things stored in memory such as purchase information. This information does not restrict the scope of the claims and has been addressed in the corresponding rejection below.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano et al, US PGPUB 2002/0152123 (hereinafter referred to as Giordano) in view of Hogan US Patent 5699528 (hereinafter referred to as Hogan).

Claim 1 of the application recites:

A card information linkage system, comprising:
a stores' terminal for entering purchase information on products purchased by card, a card server for storing purchase history information on products purchased by card, and a management server for creating customers' personal Web pages and providing them on a network, wherein

said stores' terminal includes means for transmitting purchase information on products that each customer has purchased by card to said card server,

said card server includes means for storing the purchase information on products in a database and transmitting the purchase history information on products to said management server, and

said management server includes means for receiving the purchase history information on products and posting the same on a personal Web page for the customer concerned.

The Giordano publication addresses the limitations of a stores' terminal capable of entering purchase information on purchases made by a card ([0011], [0046], [0047]), means of transmitting purchase information ([0048], and server means for storing purchase information in a database ([0048], [0049], [0050]). Giordano does not disclose the additional limitation, disclosed by Hogan, or a server capable of receiving purchase history information and posting said information to a personal web page (claim 30, Figs 9, 10, col 10 lines 13-39). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Giordano with the features of Hogan in order to improve marketability of merchant products by extending the ease of transaction monitoring to customers.

Additionally Claim 5 recites:

A card information linkage method for providing purchase records with multiple cards in the Web page format, comprising the steps of:

transmitting purchase information on products that each customer has purchased by card from a store's terminal for entering purchase information on products purchased by

card to a card server for storing purchase history information on products purchased by card,

storing the purchase information on products in a database of said card server, and transmitting the purchase history information on products from said card server to a management server for creating customers' personal Web pages and providing them on a network, and

receiving the purchase history information on products at the management server, and posting the purchase history information on products on a personal Web page for the customer concerned.

This claim discloses the same limitations as claim one but recites a method rather than a system. As there are no additional limitations disclosed the examiner asserts that it would have been equally as obvious to one of ordinary skill in the art at the time of invention, as claim 1, and for the same reasons.

Claim 2 recites:

The card information linkage system according to claim 1, further comprising:
a customers' terminal having a function for browsing Web pages through the network, wherein

said customers' terminal includes means for accessing said management server to display the personal Web page for the customer, and transmitting personal information on the customer or information on products purchased without any card and its related information, and

said management server includes means for attaching the received customer's personal information or purchased product information and its related information to update the personal Web page for the customer.

Giordano discloses a customer's computer capable of browsing WebPages ([055]), but does not address the additional claimed limitations. Hogan discusses a

Art Unit: 4137

"server computer" connected to a network such as the internet, which includes the capability of providing WWW access to users of the service (col 4, line 35-45). Said server computer receives transmitted account history information and makes it accessible via WWW (col 5, line 1-5), and is capable of updating customer personal information via financial software loaded on the customer's terminal, which can then be displayed on the customer's webpage (col 7, line 35-45). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the two in order to improve the marketability of the transaction reporting service by including the ability for the user to self-update the transaction history.

Additionally, Claim 6 recites:

The card information linkage method according to claim 5, comprising further the steps of:

accessing the management server to display the customer's personal Web page for the customer from a customer's terminal having a function for browsing Web pages through the network ,

transmitting personal information on the customer or information on products purchased without any card and its related information from the customer's terminal to the management server, and

attaching the received customer's personal information or purchased product information and its related information to update the personal Web page for the customer at the management server.

This claim is merely the method for performing claim 2 and is rejected for the same reason that it would have been obvious to one of ordinary skill in the art at the time of the invention for the same reasons as claim 2.

Regarding claims 9 and 10, which depend upon claims 1 and 5 respectively as addressed above. Each of claims 9 and 10 is directed to purchase information. However, this is just non-functional descriptive material, and it has been held that nfd stored in memory will not differentiated the claimed memory from the prior art.

3. Claims 3,4,7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of Hogan and further in view of Jacobi et al, US Patent 6317722 (hereinafter referred to as Jacobi).

Claim 3 recites;

The card information linkage system according to claim 1, wherein

said card server further includes means for generating advertising of products purchased by the customer or products-related information, and transmitting it to said management server together with a distribution request, and

said management server further includes means for posting the received advertising of products or products-related information on the personal Web page for the customer, or transmitting it to a customer's e-mail address or fax number of said customer's terminal.

Further, Claim 4 recites:

The card information linkage system according to claim 2, wherein

said card server further includes means for generating advertising of products purchased by the

customer or products-related information, and transmitting it to said management server together with a distribution request, and

said management server further includes means for posting the received advertising of products or products-related information on the personal Web page for the customer, or transmitting it to a customer's e-mail address or fax number of said customer's terminal.

The Giordano publication discloses a server which stores transaction data and then parses it based on various criteria for the purposes of offering incentives through consumer loyalty programs ([0039]). Giordano does not specifically discuss the limitations of a separate server which posts advertising material to a customer's terminal. Hogan discloses a separate server used for displaying customer account histories through a personalized Web interface but does not discuss the advertising limitations.

The limitation of a card server which is capable of generating advertising data is met by Jacobi's disclosure of a recommendation service which utilizes customer purchase histories to create advertising recommendations (Fig 1). This service can be centrally located or stored across multiple machines (col 9, line 10-15). The limitation of a web server that can receive advertising information and post it to customer web pages is disclosed by Jacobi in "a recommendations list returned to the Web server" (col 12, 5-15). The ability to transmit this information via fax, or mail (col 10 lines 54-62, col 12 lines 4-12) is also disclosed by Jacobi. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two disclosed inventions in

Art Unit: 4137

order to increase marketability of merchant products and therefore increase the incentive for merchants to participate in the transaction reporting system.

Claim 7 recites:

The card information linkage method according to claim 5, comprising further the steps of:

generating advertising of products purchased by the customer or products-related information at the card server, and transmitting it to the management server together with a distribution request, and

posting the received advertising of products or products-related information on the personal Web page for the customer at the management server, or transmitting it to a customer's e-mail address or fax number of the customer's terminal.

Additionally Claim 8 recites:

The card information linkage method according to claim 6, comprising further the steps of:

generating advertising of products purchased by the customer or products-related information at the card server, and transmitting it to the management server together with a distribution request, and

posting the received advertising of products or products-related information on the personal Web page for the customer at the management server, or transmitting it to a customer's e-mail address or fax number of the customer's terminal.

Claims 7 and 8 are the methods of performing claims 4 and 5 respectively.

No new limitations were presented in these claims; consequently they are rejected as having been obvious to one of ordinary skill in the art at the time of the invention, for the same reasons as claim 3 and 4.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALLISON W. GAUL whose telephone number is (571)270-3616. The examiner can normally be reached on Monday through Friday 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on 571-272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. W. G./

Examiner, Art Unit 3685

/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 3685